



State of Vermont

LAND USE PERMIT
 AMENDMENT

CASE NO:	3W0466-2-EB	<u>LAWS/REGULATIONS INVOLVED</u>
APPLICANT:	Leisure Living Parks, Inc. by Hershenson, Carter, Scott & McGee P.O. Box 909 Norwich, VT 05055	10 V.S.A. Chapter 151 (Act 250)

The Environmental Board hereby issues Land Use Permit Amendment **#3W0466-2-EB** pursuant to the authority vested in it by 10 V.S.A. Chapter 151. This permit applies to the lands identified in Book 66, Pages 29-31 of the Town of **Hartland** Land Records, and to the lands identified in Book 148, Pages 511-513 of the Town of Hartford Land Records as the subject of deeds to Leisure Living Parks, Inc., the **"Permittee"** as grantee. This permit specifically authorizes the Permittee to construct 11 mobile home lots, a community septic system, and 600 feet of private access road on 10 acres of a **58.7-acre** tract of land. located off Route 5 in the Towns of **Hartland** and Hartford, Vermont.

The Permittee and its successors and assigns are obligated by this permit amendment to complete, operate, and maintain the project only as approved by the District **#3** Environmental Commission in Findings of Fact and Conclusions of Law **#3W0466-2** and by the Environmental Board in accordance with the following, conditions:

1. The project shall be completed, operated, and maintained as set forth in Findings of Fact and Conclusions of Law **#3W0466-2** as amended by-Findings of Fact and Conclusions of Law **#3W0466-2-EB** and in accordance with 'the plans and exhibits stamped **"Approved"** and on file with the District Commission, **and in** accordance with the conditions of this permit. No changes shall be made in the project without the written approval of the District Commission.
2. All conditions of Land Use Permit **#3W0466** and **3W0466-1** shall remain in effect except as amended herein.
3. By acceptance of this permit amendment the permittee agrees to allow representatives of the State of Vermont access to the property covered by the permit, at reasonable times, for the purpose of ascertaining compliance with Vermont environmental and health statutes and regulations and with this permit.

4. By acceptance of the conditions of this permit, the Permittee confirms and agrees for itself and all successors and assigns in interest that the conditions of this permit shall run with the land and the land uses herein permitted, and will be binding upon and enforceable against the Permittee and all successors and assigns in interest. The granting of less than an undivided whole interest in this project is prohibited without prior approval of the District Commission.
5. The District Commission maintains continuing jurisdiction during the lifetime of the permit and may periodically require that the permit holder file an affidavit certifying that the project is being completed and maintained in accordance with the terms of the permit.
6. No construction may commence until the Permittee has filed with the District Commission a mobile home permit from the Protection Division of the Department of Environmental Conservation.
7. Each mobile home shall be individually retrofitted with water-conserving shower heads and faucets.
8. Soil disturbance shall be limited to extension of the road and installation of the concrete pads and utilities.
9. The Permittee shall install the yield sign as shown on District Commission Exhibits #21, 24, and 25.
10. Prior to occupancy, the Permittee shall construct a fence, which shall be **a continuation** of and similar to the existing four-foot high wire fence, to surround on three sides the new proposed 11 units as shown on Exhibit A attached to Board Exhibit #1.
11. The maintaining of dogs is prohibited in the development area with respect to the 11 units. All tenant leases for those units shall contain language that specifically prohibits the maintaining **of dogs**.
12. The use of snowmobiles and minibikes is prohibited within the development area. All tenant leases shall contain a clause prohibiting such uses.
13. The Permittee shall plant and maintain an evergreen buffer in the area located adjacent to the terminus of the driveway turnaround as shown on Exhibit A attached to Board Exhibit #1. The evergreen buffer shall be implemented to visually screen the development area from the adjacent deer habitat.

14. Prior to occupation of the development, the Permittee shall secure, at its own cost and expense, a lease or other conveyance of the development rights associated with approximately nine acres of land owned by the **Maxfield** family in the deer habitat located adjacent to the development site. Said lease or conveyance of development rights shall, at a minimum, prohibit the construction of improvements upon, rights of way across, subdivision of, or logging of the lands without the prior consent and approval of the Vermont Department of Fish and Wildlife or its successors. The nine acres shall consist of essentially those lands identified on Exhibit A attached to Board Exhibit #1. The term of said lease shall be for not less than fifteen years.
 15. The Permittee shall not develop, log, or subdivide in the future any lands in the deer habitat as depicted on Exhibit B attached to Board Exhibit #1 without the prior consent and approval of the Department of Fish and Wildlife or its successors.
 16. The double-wide mobile homes shall have at least an R-11 insulation with an additional foam core which is equivalent to an R-19 insulation value in the walls. The insulation shall have at least R-11 rating in the floor. These values are the minimum ratings for the homes which will be placed in the park; homes may have additional insulation. The doors shall also be insulated and storm windows **or double-glazing** shall be installed.
 17. The homes shall all have automatic setback thermostats.
 18. The homes shall all have a vinyl air permeable skirting around them to allow for a draft to reach the furnaces of the homes.
 19. The furnaces which heat the homes shall achieve '80% or better efficiency.
 20. If electric water heaters are installed, controlled heaters with insulation jackets shall be used.
 21. Each prospective tenant shall be given a copy of the 'Land Use Permit and applicable Findings of Fact before any written lease is' entered into.
 22. All construction on this project must be completed by October 1, 1990.
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23. This permit shall expire on April 1, 2010 unless extended by the District Commission.

Dated at Montpelier, Vermont this 9th day of April, 1990.

ENVIRONMENTAL BOARD



Stephen Reynes, Chairman
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